

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

**STEVE E. ASHE and wife, DEBORAH
ANN SCOTT ASHE, *et al.*,**

**This document pertains to:
RHONDA DEBRUHL, Administrator of the
Estate of Fred Davis, Deceased; JOHN D.
EZELL and wife, AILEEN RODGERS
EZELL; MAGGIE C. KRIDER,
Individually and as Personal Representative
of the Estate of Thomas Krider, Deceased;
ROBERT A. SMITH and wife, MARJORIE
L. SMITH; and RUTH G. SUMMEY,
Individually and as Executrix of the Estate
of Clyde C. Summey, Deceased,**

Plaintiffs,

Vs.

ACandS, Inc., *et al.*,

Defendants.

Civil Action No. MDL 875

**W.D.N.C.
File No. 1:99cv268**

ORDER OF DISMISSAL OF DEFENDANT CLEAVER-BROOKS, INC.

THIS MATTER is before the Court, with the consent and approval of the parties, to dismiss the captioned Plaintiffs' claims against the Defendant Cleaver Brooks, Inc..

For cause shown,

IT IS, THEREFORE, ORDERED that the claims of Plaintiffs Rhonda Debruhl, Administrator of the Estate of Fred David, Deceased, and Robert A. Smith, and wife Margorie L. Smith against the Defendant Cleaver Brooks, Inc., are hereby **DISMISSED WITH PREJUDICE.**

IT IS FURTHER ORDERED that the claims of Plaintiffs John D. Ezell, and wife Aileen Rodgers Ezell; Maggie C. Krider, Individually and as Personal Representative of the

Estate of Thomas Krider, Deceased; and Ruth G. Summey, Individually and as Executrix of the Estate of Clyde C. Summey, Deceased, against the Defendant Cleaver Brooks, Inc., are hereby
DISMISSED WITHOUT PREJUDICE.

Signed: February 22, 2007



Lacy H. Thornburg
United States District Judge



Prepared and Submitted By:

Attorney for Defendant Cleaver-Brooks, Inc.

s/ Stephen B. Williamson

Stephen B. Williamson, Esq.
N.C. Bar No. 20203
Van Winkle, Buck, Wall, Starnes and Davis, P.A.
11 North Market Street
Post Office Box 7376
Asheville, North Carolina 28802
Telephone: 828-258-2991
Facsimile: 828-255-0255
Email: swilliamson@vwlawfirm.com

Consented to By:

Attorney for Plaintiff

s/ Janet Ward Black

Janet Ward Black, Esq.
N.C. Bar No. 12869
Donaldson & Black, P.A.
208 West Wendover Avenue
Greensboro, NC 27401
Telephone: 336-273-3812
Facsimile: 336-379-9415
E-mail: jwblack@donaldsonandblack.com